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December 3, 2015

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, New York 10007  
[Failla\\_NYSDChambers@nysd.uscourts.gov](mailto:Failla_NYSDChambers@nysd.uscourts.gov)

**Re: A.V.E.L.A., Inc. v. The Estate of Marilyn Monroe, LLC et al  
12-cv-4828(KPF)(JCF): Settlement Conference and Pre-Motion Conference**

Dear Judge Failla:

We represent The Estate of Marilyn Monroe, LLC (the "Estate") in the above-referenced proceeding. We write to advise the Court in response to an inquiry from Chambers that Magistrate Judge Francis has set the requested settlement conference for February 5, 2016 at 9:30AM.

In addition, the parties have conferred and agreed, subject to the Court's approval, that the briefing schedule for the Estate's anticipated motion to dismiss (Dkt. Nos. 231, 232) is set such that opening papers are due at least two weeks following the settlement conference. In addition, to the extent the Court plans to set an in-person pre-motion conference, counsel for X One X, and V. International respectfully request, again subject to the Court's approval and availability, that the conference be set for February 4, 2015 or following the settlement conference on the afternoon of February 5, 2015. The Estate does not object to this request.

Respectfully submitted,

**DLA Piper LLP (US)**

*/s/ Tamar Duvdevani*

Tamar Duvdevani

cc: Counsel of Record via ECF